Docket	Number
99-	0006

Scimed Life Systems, Inc.

COMBINED DECLARATION AND POWER OF ATTORNEY for UNITED STATES PATENT APPLICATION

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or original, first and joint inventor (if plural names are listed below) of the subject matter claimed and disclosed in the patent application entitled: <u>Bifurcation Stent Delivery System</u>, which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which may be material to patentability under 37 CFR § 1.56 (see page 3 attached hereto).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d)/365 of any foreign patent application(s) or inventor's certificate(s) listed below.

FOREIGN PATENT APPLICATION	DATE OF FILING	COUNTRY
OR CERTIFICATE NUMBER	(day, month, year)	

I hereby claim priority benefits under 35 U.S.C. § 119(e) of any U.S. provisional patent application(s) listed below.

U.S. PROVISIONAL PATENT APPLICATION NUMBER	DATE OF FILING (day, month, year)	DOCKET NUMBER (if applicable)
60/117,351	27.01.99	99-0006

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Patent Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112 first paragraph, I acknowledge the duty to disclose information which may be material to patentability under 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. PATENT APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (pending, patented, abandoned)

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Luke Dohmen, Reg. No. 36,783; Peter J. Gafner, Reg. No. 36,517; Todd P. Messal, Reg. No. 42,883; Robert M. Rauker, Reg. No. 40,782

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Scimed Life Systems, Inc. to the contrary.

Please direct all correspondence in this case to Scimed Life Systems, Inc. at the below address:

One Scimed Place
Mail Stop A150
Maple Grove, Minnesota 55311-1566
Attn: Todd P. Messal
(612) 494-2880

I hereby believe that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

	Full Name of Inventor	Family Name Tracee E.J. Eidenschink	First Given Name	Second Given Name
1	Residence & Citizenship	City Wayzata	State or Foreign Country Minnesota	Country of Citizenship United States
:	Post Office Address	Post Office Address 2232 Pinto Drivo	City Wayzata	State & Zip Code/Country Minnesota 55391 / United States

Signature of Inventor 1 Nacce Adensch	}	, , , , , , , , , , , , , , , , , , ,
Date Jan 24, 2000		

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

19-0006, USC

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APRIL 27, 2000

PTAS

SCIMED LIFE SYSTEMS, INC.
TODD P. MESSAL
ONE SCIMED PLACE
MAIL STOP A150
MAPLE GROVE, MINNESOTA 55311-1566

1012775304

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/26/2000

REEL/FRAME: 010568/0868

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

EIDENSCHINK, TRACEE E.J.

DOC DATE: 01/26/2000

ASSIGNEE:

SCIMED LIFE SYSTEMS, INC.
ONE SCIMED PLACE
M.S. A150

MAPLE GROVE, MINNESOTA 55311-1566

SERIAL NUMBER: 09490808

PATENT NUMBER:

FILING DATE: 01/26/2000

ISSUE DATE:

ALLYSON PURNELL, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS SAMED PATENT LEGAL DEPT.
ENTERED ON DOCKET

INITIALS:

FQ. M P 01/25/00	· · · · · · · · · · · · · · · · · · ·	02-7	29-2000	U.S. DEPARTMENT OF C Patent and Trade	•
To th	ne Honorable Commissioner of Patents an	101	2775 <u>30</u>	d original documents or o	copy thereof.
1.	Name of conveying parties: Tracee E.J. Eidenschink al name(s) of conveying party(les) attached? Yes X No	2.	Name and address Name: Scime Internal Address:	ss of receiving party: ad Life Systems, Inc.	S PTO 10808
3.	Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other		Street Address: City: Maple Gro	One Scimed Place ove State: MN Zip: 55311-1566 8: address(es) attached? Yes X No	je135 u 09/49
4. A.	Application number(s) or patent number(s): If this document is being filed together with a new application No.(s)	ation, the execu	ution date of the appli B. Patent No.(s)		[Yes X]No
5.	Name and address of party to whom corresponde concerning document should be mailed: Name: Todd P. Messal Address: SCIMED LIFE SYSTEMS, INC. One Scimed Place Mail Stop A150 Maple Grove, MN 55311-1566	ence	6.7. Total fe8.	Total number of applications and p involved: (37 CFR 3.41): \$40.00 [] Enclosed [X] Authorized to be charged to de account Deposit account number: 19-0765	posit
	(Attach duplicate		age if paying by depos	it account)	
9.	Statement and signature. To the best of my knowledge and belief, the fore original document. Todd P. Messal Name of Person Signing	<u> </u>	nation is true and co	i / ZG / bc Date Total number of pages including cover sh	

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Mail documents to be recorded with required cover sheet information to:

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01 FC:581

OMB No. 0651-0011 (exp. 4/94)

40.00 CH
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems. PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

ASSIGNMENT

WHEREAS, <u>Tracee E.J. Eidenschink</u>, residing at <u>2232 Pinto Drive</u>, <u>Wayzata</u>, <u>Minnesota 55391</u>, has made certain new and useful inventions and improvements for which I have executed an application for Letters Patent of the United States, which is entitled <u>Bifurcation Stent Delivery System</u>, filed concurrently herewith;

AND WHEREAS, <u>Scimed Life Systems</u>, <u>Inc.</u>, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having a business address of <u>One Scimed Place</u>, <u>Maple Grove</u>, <u>Minnesota 55311-1566</u>, is desirous of acquiring the entire right, title and interest in and to said inventions, improvements, application, and Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said Scimed Life Systems, Inc., its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I/we do hereby authorize and request the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid inventions and improvements to said Scimed Life Systems, Inc., its successors and assigns.

AND, for the consideration aforesaid, I do hereby agree that I and my executors and legal representatives will make, execute and deliver any and all other instruments in writing including any other documents, and will communicate to said <u>Scimed Life Systems</u>, <u>Inc.</u>, its successors and representatives all facts known to me relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to more effectually secure to and vest in <u>Scimed Life Systems</u>, <u>Inc.</u>, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore, I, Tracee E.J. Eidenschink covenant and agree with said <u>Scimed Life Systems</u>, Inc., its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

The party hereto acknowledge that I have specifically requested the present agreement to be drawn up in the English language.

IN TESTIMONY WHEREOF, I have hereunto set my ha	and this <u>26</u> day of <u>Januaru</u> , 2000.
	hace Eftedinschik
Ť	acee E.J. Eidenschink
STATE OF MINNESOTA)	
) ss.	
COUNTY OF HENNEPIN)	
On this 26th day of 11 way , 2	2000 before me personally appeared Tracee E.J
<u>Eidenschink</u> to me known and known to me to be the perso	n described in and who executed the foregoing
instrument, and she duly acknowledged to me that she executed the	he same for the uses and purposes therein set forth.
	ble di Plan a

Notary Public

DEBRA H. RHÉAUME Notary Public Minnesota My Commission Equino Jan. 21, 2000

LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE REGARDING CERTAIN PATENT MATTERS EFFECTIVE THROUGH: December 31, 2003

I, Paul W. Sandman, as Senior Vice President, Secretary, and General Counsel of Boston Scientific Corporation, the controlling corporation of:

AMS Medinvent S.A.; Boston Scientific BV; Boston Scientific Corporation Northwest Technology Center, Inc.; Boston Scientific Ireland Limited; Boston Scientific Japan KK; Boston Scientific Limited; Boston Scientific Scimed, Inc. (formerly known as Schneider (USA), Inc.); Cardiovascular Innovations Canada, Inc.; Corvita Canada, Inc.; Corvita Corporation; Corvita Europe S.A.; EP Technologies, Inc.; Laboratoires Corvita S.A.R.L.; Meadox Medicals, Inc.; NAMIC Eireann Limited; NAMIC International, Inc.; Nilo Holding, S.A.; Schneider (Europe) GmbH; Schneider Belgium NV; Schneider Holland BV; Schneider Ireland BV; Schneider Puerto Rico (formerly known as NAMIC Caribe, Inc.); Schneider/NAMIC; Scimed Life Systems, Inc.; Symbiosis Corporation; Target Therapeutics, Inc.; Cardiac Pathways Corporation; Interventional Technologies, Inc.; Embolic Protection, Inc.; Quanum Corporation; Smart Therapeutics, Inc.; Radio Therapeutics Corporation; Catheter Innovations Corp.; Enteric Medical Technologies, Inc.; BEI Medical Systems; Heart Technologies; Vesica; and Inflow Dynamics Inc.;

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent entities, (2) to execute power of attorney documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, in any foreign or international patent applications filed with any foreign and/or international patent offices, and (3) to execute assignment and ownership documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent offices:

Scott T. Bluni	
James R. Chiapetta	Reg. No. 39,634
Luke R. Dohmen	
Peter J. Gafner	Reg. No. 36,517
Albert K. Kau	Reg. No. 40,672
Kurt W. Lockwood	Reg. No. 40,704
Steven A. McAuley	Reg. No. 46,084
Todd P. Messal	Reg. No. 42,883
Robert M. Rauker	
William J. Shaw	Reg. No. 43,111

Paul W. Sandman
Date
Senior Vice President, Secretary, and General Counsel

COMMONWEALTH OF MASSACHUSETTS) ss COUNTY OF MIDDLESEX)

On this <u>fine</u> day of <u>April</u> before me personally appeared Paul W. Sandman to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes set forth herein.

Notary Public NoTARY PUBLIC
My commission expires Sept 18, 2009